



"The City With a Heart"

Jim Ruane, Mayor  
Ken Ibarra, Vice Mayor  
Rico E. Medina, Councilmember  
Irene O'Connell, Councilmember  
Michael Salazar, Councilmember

## MINUTES

### SAN BRUNO CITY COUNCIL

July 10, 2012

7:00 p.m.

**Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno**

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met on July 10, 2012 at the San Bruno Senior Center, 1555 Crystal Springs Rd., San Bruno, CA. The meeting was called to order at 7:00 p.m.

**Mayor Ruane** thanked the San Bruno Garden Club for the beautiful floral arrangement.

**2. ROLL CALL/PLEDGE OF ALLEGIANCE:** Presiding was Mayor Ruane, Vice Mayor Ibarra and Council Members O'Connell, Medina and Salazar. Recording by Clerk Bonner. **Community Development Director Aknin** led the Pledge of Allegiance.

**3. ANNOUNCEMENTS:**

**Mayor Ruane** announced Community Development Director Aknin would be leaving the City of San Bruno to take a job in Palo Alto. He gave a background on Aaron's ten years with San Bruno. **Community Development Director Aknin** thanked the City. **Vice Mayor Ibarra** thanked him.

**4. PRESENTATIONS:**

**5. REVIEW OF AGENDA:** **Mayor Ruane** moved Item 11. to follow Item 8.

**6. APPROVAL OF MINUTES:** Regular City Council Meeting of June 26, 2012, approved as submitted.

**7. CONSENT CALENDAR:**

- a. **Approve:** Accounts Payable of June 18 and 25, 2012 and Successor Agency Accounts Payable of June 18 and 25, 2012.
- b. **Approve:** Payroll of June 17, 2012.
- c. **Appoint:** Voting Delegate to the Annual League of California Cities Conference September 5 – 7, San Diego, CA.
- d. **Waive:** First Reading and Introduce Ordinance Adjusting Water Rates as Presented in the Notice of Proposed Increase Mailed to All Property Owners.
- e. **Waive:** First Reading and Introduce Ordinance Adjusting Wastewater Rates as Presented in the Notice of Proposed Increase Mailed to All Property Owners.
- f. **Approve:** Cancellation of the Regular City Council Meeting on August 28, 2012.

**Councilmember Salazar** pulled Items 7.d. and 7.e.

**M/S O'Connell/Ibarra** to approve the remainder of the Consent Calendar and passed with all ayes.

**City Attorney Zafferano** gave a background on Items 7.d. and 7.e. He explained the original ordinance introduced was invalid; however, it was not adopted. He stated the protest hearing did not need to be redone because there is no change in the rates that were set forth originally.

**Councilmember Salazar** said he is in favor of the improvements being proposed. He said he has reconsidered because of the aggressive way it is being imposed. He said in the subcommittee they didn't consider the impact and the hardship it was cause the citizens. He wanted to make sure Council fully understands what we are doing and vet out all the details. He read a section of the Health and Safety Code that was in the original ordinance that doesn't appear to preclude regular fees, which we are proposing to impose.

**City Attorney Zafferano** said it is confusing and there been court cases and out of those there are two ways Cities can adjust rates for these kind of enterprises; one way if the fees are put on the property tax bill, the section of the Health and Safety Code needs to be used and there has to be a 2/3 vote, the alternative mechanism is the section of the government code where all that is needed is a simple majority vote.

Discussion took place between Council regarding placing the sewer bill on the tax bill and it was determined they would wait a year until staff researches.

**Councilmember Salazar** asked if these rates were passed tonight were we committed to placing them to the maximum allowed in these ordinances, that something could be done up to or less than the rates are currently outlined in the ordinance. How does it get revisited? **City Manager Jackson** said the way the ordinance is currently written, it would set the rate at the recommended levels for a period of five years. A subsequent action could be taken to amend that ordinance. **City Attorney Zafferano** added, per the ordinance, the new rates would not go into effect until September.

**Councilmember Salazar** said he wished a little more had been done to look at these rates because they are so aggressive. He felt with our increased technology, maybe some of the major projects could have been deferred, at least until the time the economy has had a chance to run its course and show more positive signs. He suggested the general fund could be responsible for some of this or some of the reserve funds.

**Mayor Ruane** asked staff to bring a report back to the Council every six months to give them updates on where we are with the money we are asked to pay and money being spent and where we are so we know progress is being made.

**Councilmember O'Connell** said we are playing catch-up and she didn't see any reason why we couldn't revisit this at a later time.

**Councilmember Medina** said he knew there was work that needed to be done. He also said he noted the sso's have decreased. He suggested sitting down with staff to find ways to decrease the unfortunate burden many would have to face. He said five years is too long and it is too aggressive.

**Vice Mayor Ibarra** said the new rates are going to be tough but he felt he was elected to make the tough decisions to improve this City.

**M/S O'Connell/Ibarra** to approve Items 7.d. and passed with three ayes, **Councilmembers Medina** and **Salazar** voted no.

**M/S Ibarra/O'Connell** to approve 7.e. and passed with three ayes, **Councilmembers Medina** and **Salazar** voted no.

## 8. PUBLIC HEARINGS:

a. Hold Public Hearing and Adopt Resolution Amending the Master Fee Schedule for 2012-13 Establishing Fees for Municipal Services.

**Finance Director Juran** gave an overview of the staff report highlighting some of the major changes and pointed out the minor changes made to the resolution provided to Council and asked for questions.

**Councilmember Medina** asked questions under Parks and Rec., first, the after school summer day camp, second was leader-in-training where they are charged \$50 a session, and what is a session? **Juran** said \$35 rate is the rate being charged today and the proposed rate won't go into effect until the Fall. She said she did not specific answers on his other questions but would get that information to him.

**Assistant Library Services Director Alita** said the leader in training program is a volunteer program for young people who are twelve years old. They get experience while still having adult supervision. He did not know how long a session lasted but Councilmember Medina expressed his concern that this is a volunteer program and why would a volunteer have to pay?

**City Manager Jackson** suggested since they didn't have definitive answers, these could be removed from any action taken by Council on the Master Fee schedule and brought back at a future date.

**Vice Mayor Ibarra** said he doesn't feel comfortable with agreeing to the increases and asked staff to revisit the Park and Recreation fees.

**Councilmember Salazar** said he had signed his son up for the leader in training program and it was \$50.00 per week.

**Mayor Ruane** opened the Public Hearing. No one wished to speak.

**M/S Medina/Ibarra** to close the Public Hearing and passed with all ayes.

**Vice Mayor Ibarra** introduced the resolution amending the Master Fee Schedule for 2012-13 excluding the Park and Recreation change in fees and passed with all ayes.

b. Hold Public Hearing and Adopt Resolution Adopting a Groundwater Management Plan for the South Westside Basin.

**Public Services Director Fabry** gave an overview of the powerpoint presentation and Jim Blankey gave a further overview of the powerpoint presentation and asked for questions.

**Mayor Ruane** opened the Public Hearing. No one wished to speak.

**M/S Medina/Ibarra** to close the Public Hearing and passed with all ayes.

**Councilmember O'Connell** talked about the administration of this and asked who is the lead agency? Is each agency accepting this Ground Management proposal? **Fabry** said this plan is developed in collaboration with other agencies. CalWater accepts it and they intend to implement the plan and the SFPUC are supportive and San Bruno will take the lead. She noted United Airlines involvement, but didn't understand why the Airport as a whole was not involved. **Fabry** said they were invited to participate in the development of the plan and they were included in the task force.

**Councilmember O'Connell** introduced the resolution for adoption and passed with a unanimous vote.

**11. Receive Annual Report from the Culture and Arts Commission (moved to follow Item 8.)**

**Melody Tobin** gave an overview of the activities of the Culture and Arts Commission over the last year and their plans for the future.

**Councilmember O'Connell** asked if the Commission was looking for something to do for the 100<sup>th</sup> anniversary of the City. **Tobin** said they are open to partnerships and they will be doing something.

**Vice Mayor Ibarra** suggested expansion of things with the youth.

**Mayor Ruane** thanked the Commission for all they do.

**9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:**

**Robert Riechel, 7<sup>th</sup> Ave.** gave an update on mosquito abatement and said they would begin monthly helicopter treatment over the Mills Field area dropping pellets containing an anti-growth hormone only affecting mosquitoes. He thanked the City Manager and Council for placing Item 10.b. on the agenda. He also provided the May 2012 Entomology Report for distribution to the Council.

**10. CONDUCT OF BUSINESS:**

a. Receive Oral Report on the Education and Enforcement Activities for the 2012 Fireworks Season.

**Police Chief Telford** and **Deputy Fire Chief Downing** gave an overview of the staff report.

**Vice Mayor Ibarra** said the public is aware. He said he was frustrated seeing responsible adults breaking the law.

**Councilmember Medina** said he went on a ride-around and he thanked staff for all they do.

**Carolyn Livengood, Sheryl Dr.** said while there were fireworks set off at her house, one phone call to the police stopped them and she enjoyed the quietest July 4<sup>th</sup> she could remember.

b. Authorize the Mayor to Execute a Letter to the San Mateo County Local Agency Formation Commission (LAFCO) Supporting the San Mateo County Mosquito and Vector Control District in the Sphere of Influence Review.

**City Manager Jackson** gave an overview of the letter written to the San Mateo County Local Agency Formation Commission on behalf of the San Bruno City Council.

**Vice Mayor Ibarra** asked if this was a result of the embezzlement? **City Manager Jackson** said LAFCO has the authority to call for a municipal service review. Mosquito Abatement Board Gay shared what is happening.

**M/S O'Connell/Ibarra** to authorize the letter and passed with all ayes.

c. Receive Report Regarding Street Sweeping Operations and Related Parking Restrictions.

**Human Resources Director Yuki** gave an overview of the staff report.

**Vice Mayor Ibarra** asked if there was a study to find out how effective street sweeping is? **Yuki** said in certain areas of the west side it is not as beneficial to those who have areas where there are leaves or narrower streets. **Vice Mayor Ibarra** said he found it ineffective, especially at six o'clock in the morning.

**Carolyn Livengood, Sheryl Dr.** said the cars do not move in her area. Garbage cans are also left in the street.

**Sara Glascock, N. San Anselmo** asked for a chance to prepare a rebuttal?

**City Manager Jackson** said staff could look into a more global overview to see what it takes to expand the program city-wide.

**Mayor Ruane** said this needed to be revisited and he appointed Councilmember Medina and Vice Mayor Ibarra to serve on the infrastructure committee.

d. Receive Report on Measure A Highway Program (Cycle One) Funding and Adopt Resolution Supporting the Widening of State Route 35 from Interstate 280 to Sneath Lane Project and Submitting an Application for Measure A Highway Program (Cycle One) Funding for the Project.

**Public Services Director Fabry** gave an overview of the staff report and asked for questions.

**Vice Mayor Ibarra** talked about the challenges for improvements on El Camino and asked if the State is aware of these improvements? **Fabry** said yes. **City Manager Jackson** pointed out this was an entirely different project than the improvements on El Camino and this is a very first step to generate if there is interest in the local community.

**Carolyn Livengood, Sheryl Dr.** said she felt strongly about this. She asked why South San Francisco is the only City, why not Pacifica and Daly City?

**Councilmember Salazar** asked what we have to spend prior to being approved for any Measure A funds? **Fabry** said a few thousand dollars.

**Councilmember Salazar** asked if there were any anticipated negative aspects to the widening? **Fabry** said this was a short turn-around and those aspects will be assessed in the first phase.

**Councilmember O'Connell** asked about the Community College District and Pacifica involvement? **Fabry** said a direct letter has been developed for the College to give their support. She said Pacifica and Daly City would be likely choices.

**Councilmember O'Connell** introduced the resolution for adoption and passed with a unanimous vote.

e. Receive Report and Adopt Resolution Authorizing the City Manager to Execute a Contract with the County of San Mateo for Collection of Special Assessments and Authorizing the County of San Mateo to Place a Special Assessment on 502 San Felipe Avenue for Unpaid Municipal Code Violation Abatements Costs.

**Community Development Director Aknin** gave an overview of the staff report and asked for questions.

**Councilmember Medina** introduced the resolution for adoption and passed with a unanimous vote.

#### **11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:**

Receive Annual Report from the Culture and Arts Commission (moved to follow Item 8.)

#### **12. COMMENTS FROM COUNCIL MEMBERS:**

#### **13. CLOSED SESSION:**

**14. ADJOURNMENT: 9:46**

**Mayor Ruane** closed the meeting at 9:46 p.m. The next regular City Council Meeting will be held on July 24, 2012 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval  
at the regular City Council Meeting of  
July 24, 2012

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Carol Bonner, City Clerk

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Jim Ruane, Mayor